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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/767,011

01/29/2004

Vijay Wani

62485B

4735

109 7590 04/10/2007
THE DOW CHEMICAL COMPANY
INTELLECTUAL PROPERTY SECTION,
P. O. BOX 1967
MIDLAND, MI 48641-1967

EXAMINER

HUSON, MONICA ANNE

ART UNIT

PAPER NUMBER

1732

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
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3 MONTHS

04/10/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

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Office Action Summary	Application No. 10/767,011	Applicant(s) WANI ET AL.	
	Examiner Monica A. Huson	Art Unit 1732	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 February 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 7-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 7-11 is/are allowed.
- 6) ☒ Claim(s) 12-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>022207</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This office action is in response to the RCE filed 22 February 2007.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –
(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

Claims 12, 14, and 15 are rejected under 35 U.S.C. 102(a) as being anticipated by Yuzawa et al. (U.S. Patent Application Publication 2002/0031620). Regarding Claim 12, Yuzawa et al., hereafter "Yuzawa," show that it is known to carry out a method for preparing a molded article having a sheet material surface piece (Abstract) comprising the steps of providing a precut sheet material surface piece to a mold cavity (Figure 3, element 4), and in a molding step, molding onto the sheet material a substrate plastic component (Figure 3, element 5; Para. 0085), wherein the sheet material is a laminate structure comprising a front, surface-facing layer of a thin sem-rigid wood material (Figure 3, element 1), an interior adhesive layer (Figure 3, element 2), and on the surface opposite the sheet material, a protective backing layer which bonds or otherwise adheres to the substrate plastic and protects the adhesive layer during the molding step (Figure 3, element 3).

Regarding Claim 14, Yuzawa shows the process as claimed as discussed in the rejection of Claim 12 above, including a method wherein the outer protective backing layer material bonds with the substrate plastic (Figure 3, element 3, 5; Para. 0085).

Regarding Claim 15, Yuzawa shows the process as claimed as discussed in the rejection of Claim 12 above, including a method where, in the first

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molding step, the substrate plastic completely covers the back side of the sheet material sheet (Figure 3, element 5).

Regarding Claim 16, Yuzawa shows the process as claimed as discussed in the rejection of Claim 15 above, including a method where, in the first molding step, the precut sheet material is slightly smaller than the cavity and the substrate plastic provides a protective edge thickness covering that covers at least a part of the thicknesses of the peripheral edges of the sheet material (Figure 5(f), element 5 covers edges of the laminate).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yuzawa, in view of Harada et al. (U.S. Patent 4,137,366). Yuzawa shows the process as claimed as discussed in the rejection of Claim 12 above, but he does not show using a laminate sheet material comprising a polyamide adhesive. Harada et al., hereafter "Harada," show that it is known to carry out a method using a laminate comprising an adhesive layer of polyamide adhesive (Figure 1, element 3; Column 2, lines 46-65). Harada and Yuzawa are combinable because they are concerned with a similar technical field, namely, methods of molding plastic articles including sheet materials. It would have been prima facie obvious to one of ordinary skill in the art at the time the invention was made to use Harada's specific laminate including a polyamide adhesive in Yuzawa's molding process in order to obtain an article which meets specifications for certain polyamide adhesive properties.

Claims 12, and 14-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bosse (EP 0 936 044), in view of Yuzawa. Regarding Claim 12, Bosse shows that it is known to carry out a method for preparing a molded article having a sheet material surface piece (Abstract) comprising the steps of providing a precut sheet material surface piece to a mold cavity (Figure 3, element 3), and in a molding step, molding onto the sheet material a substrate plastic component (Figure 2-4, element 2; Claim 13). Bosse does not show using a laminate for his sheet material. Yuzawa shows that it is known to carry out an insert molding process using a laminate for the sheet material (Figure 3, element 4). It would have been prima facie obvious to one of ordinary skill in the art at the time the invention was made to use Yuzawa's laminate as the sheet material in Bosse's molding process in order to provide excellent bonding between the sheet material and the molding resin.

Regarding Claim 14, Bosse shows the process as claimed as discussed in the rejection of Claim 12 above, but he does not show using a laminate for his sheet material. Bosse shows that it is known to carry out an insert molding process using a laminate for the sheet material (Figure 3, element 4). It would have been prima facie obvious to one of ordinary skill in the art at the time the invention was made to use Bosse's laminate as the sheet material in Bosse's molding process in order to provide excellent bonding between the sheet material and the molding resin (see Bosse, Para. 0085).

Regarding Claim 15, Bosse shows the process as claimed as discussed in the rejection of Claim 12 above, including a method where, in the first molding step, the substrate plastic completely covers the back side of the sheet material sheet (Figure 4), meeting applicant's claim.

Regarding Claim 16, Bosse shows the process as claimed as discussed in the rejection of Claim 15 above, including a method where, in the first molding step, the precut sheet material is slightly smaller than the cavity and the substrate plastic provides a protective edge thickness covering that covers at

least a part of the thicknesses of the peripheral edges of the sheet material (Figure 4), meeting applicant's claim.

Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bosse, in view of Harada. Bosse shows the process as claimed as discussed in the rejection of Claim 12 above, but he does not show using a laminate sheet material comprising a polyamide adhesive. Harada shows that it is known to carry out a method using a laminate comprising an adhesive layer of polyamide adhesive (Figure 1, element 3; Column 2, lines 46-65). Harada and Bosse are combinable because they are concerned with a similar technical field, namely, methods of molding plastic articles including sheet materials. It would have been prima facie obvious to one of ordinary skill in the art at the time the invention was made to use Harada's specific laminate including a polyamide adhesive in Bosse's molding process in order to obtain an article which meets specifications for certain polyamide adhesive properties.

Claims 12, and 14-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Itsuo et al. (JP 08-300380), in view of Itsuo. Regarding Claim 12, Itsuo et al., hereafter "Itsuo," shows that it is known to carry out a method for preparing a molded article having a sheet material surface piece (Abstract) comprising the steps of providing a precut sheet material surface piece to a mold cavity (Figure 3, element 11), and in a molding step, molding onto the sheet material a substrate plastic component (Figure 3, element 4). Itsuo does not show using a laminate for his sheet material. Yuzawa shows that it is known to carry out an insert molding process using a laminate for the sheet material (Figure 3, element 4). It would have been prima facie obvious to one of ordinary skill in the art at the time the invention was made to use Yuzawa's laminate as the sheet material in Itsuo's molding process in order to provide excellent bonding between the sheet material and the molding resin.

Regarding Claim 14, Itsuo shows the process as claimed as discussed in the rejection of Claim 12 above, but he does not show using a laminate for his sheet material. Yuzawa shows that it is known to carry out an insert molding process using a laminate for the sheet material (Figure 3, element 4). It would have been prima facie obvious to one of ordinary skill in the art at the time the invention was made to use Yuzawa's laminate as the sheet material in Itsuo's molding process in order to provide excellent bonding between the sheet material and the molding resin (see Itsuo, Para. 0085).

Regarding Claim 15, Itsuo shows the process as claimed as discussed in the rejection of Claim 12 above, including a method where, in the first molding step, the substrate plastic completely covers the back side of the sheet material sheet (Figure 4), meeting applicant's claim.

Regarding Claim 16, Itsuo shows the process as claimed as discussed in the rejection of Claim 15 above, including a method where, in the first molding step, the precut sheet material is slightly smaller than the cavity and the substrate plastic provides a protective edge thickness covering that covers at least a part of the thicknesses of the peripheral edges of the sheet material (Figure 7-8), meeting applicant's claim.

Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Itsuo, in view of Harada. Itsuo shows the process as claimed as discussed in the rejection of Claim 12 above, but he does not show using a laminate sheet material comprising a polyamide adhesive. Harada shows that it is known to carry out a method using a laminate comprising an adhesive layer of polyamide adhesive (Figure 1, element 3; Column 2, lines 46-65). Harada and Itsuo are combinable because they are concerned with a similar technical field, namely, methods of molding plastic articles including sheet materials. It would have been prima facie obvious to one of ordinary skill in the art at the time the invention was made to use Harada's specific laminate including a polyamide

adhesive in Itsuo's molding process in order to obtain an article which meets specifications for certain polyamide adhesive properties.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Monica A. Huson whose telephone number is 571-272-1198. The examiner can normally be reached on Monday-Friday 7:30am-4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christina Johnson can be reached on 571-272-1176. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Monica A Huson

April 2, 2007